**GOVERNMENT OF ANDHRA PRADESH**
**ABSTRACT**

Public Services - MA&UD Department - Allegation of demand and acceptance of bribe against Sri M.Sambasiva Rao, Sanitary Inspector Narsaraopet Municipality, Guntur District - Trapped by ACB on 16.08.1999 - Acquitted by the ACB Court, Vijayawada in C.C.No.37/2000, dt.23.12.2005 **-** Criminal Appeal No.1637/2006 filed before High Court of Andhra Pradesh - Acquitted by the Hon'ble High Court - Further action dropped - Regularization of Suspension period with all consequential benefits - Orders - Issued.

---

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (VIG.II) DEPATMENT

**G.O.MS.No. 23** **Dated: 11-01-2019.**

**Read the following:-**

1) From the Director General, Anti Corruption Bureau, A.P., Hyderabad, Letter Rc.No.157/RCT-VGT/99, dated.30.08.1999.
2) Proceedings of the Commissioner, Narasaraopet Municipality, Roc.No.4587/99-C1, dated.09.09.1999.
3) Final report from the Director General, Anti Corruption Bureau, A.P., Hyderabad, Letter C.No.157/ACB-VGT/99, dated.31.07.2000.
4) G.O.Ms.No.493, MA&UD (G2) Department, dated.28.09.2000.
5) From the Director General, Anti Corruption Bureau, A.P., Hyderabad, Letter C.No.157/RCT-VGT/99, dated.08.01.2001.
6) Govt.Memo.No.2639/V1/2001-6, MA, dated.09.07.2003.
7) From the Director General, Anti Corruption Bureau, A.P., Hyderabad, Letter C.No.157/RCT-VGT/99, dated.30.12.2005.
8) From the Director General, Anti Corruption Bureau, A.P., Hyderabad, Letter C.No.157/RCT-VGT/99, dated.20.03.2006 along with copy of Judgment dt.23.12.2005 of the Spl. Judge for SPE & ACB Cases, Vijayawada.
9) Govt.Memo.No.2639/Vig.IV.2/2001-7, dated.18.04.2006.
10) From the Director General, Anti Corruption Bureau, A.P., Hyderabad, Letter C.No.157/RCT-VGT/99, dated.28.12.2006.
11) Representation from Sri M.Sambasiva Rao, former SI, Narasaraopeta Municipality, dated.14.05.2018.

-oOo-

**O R D E R:**

Whereas in the reference 1st read above the Director General, Anti Corruption Bureau, Hyderabad has informed that, Sri M.Sambasiva Rao, Sanitary Inspector (A.O.1), Narasaraopet Municipality has been trapped when he demanded and accepted a bribe amount of Rs.500/- from the complainant through Sri Kurru Babu, Sanitary Maistry (A.O.2) for doing an official favour. In the reference 2nd read above, the Commissioner, Narasaraopet Municipality has placed the Accused Officer under suspension.

2. In the reference 3rd read above, the Director General, Anti Corruption Bureau, Hyderabad has recommended for sanction of prosecution against Accused Officers, as the allegations are substantiated. Government after

**(P.T.O)**

examining the matter have issued orders to prosecute Sri M.Sambasiva Rao, Sanitary Inspector (A.O.1) in a court of law vide reference 4th read above. In the reference 5th read above, the Director General, Anti Corruption Bureau, Hyderabad has informed that, a case was registered against him in C.C.No.37/2000. Subsequently he was reinstated into service vide reference 6th read above.

3. In the reference 7th read above, the Director General, ACB, Hyderabad has informed that, the Accused Officer was acquitted by the Judge for SPE & ACB Cases, Vijayawada in C.C.No.37/2000, dt.23.12.2005. In the reference 8th read above, the Director General, Anti Corruption Bureau, Hyderabad has requested to permit the Standing Counsel of the Bureau to file an appeal in the High Court of A.P., against orders of Trial Court. Accordingly, Govt. after examining the matter, issued orders permitting the Director General, ACB to prefer an appeal in the High Court of Andhra Pradesh vide reference 9th read above. In the reference 10th read above, the Director General, ACB has informed that, the Criminal Appeal No.1637/2006 against the acquittal orders has been admitted by the Hon'ble High Court of Andhra Pradesh and its orders are awaited.

4. In the meanwhile, Sri M.Sambasiva Rao, former Sanitary Inspector (A.O.1), Narasaraopeta Municipality (now Retired) vide reference 11th read above has requested to drop further action and sanction of all consequential benefits i.e., Regularizing suspension period from 09.09.1999 to 24.09.1999 and 28.11.2000 to 07.10.2003, further Annual Grade Increments from 01.04.2000 to 01.04.2013 (i.e., 14 AGIs), Notional Promotion, Pay fixation from 2000 till to retirement, Leave Salary, Gratuity and Pension, as the Hon'ble High Court in its orders dt.19.02.2018 in C.A.No.1637/2006 have confirmed the orders of trial Court (C.C.No.37/2000) and while dismissing the C.A.No.1637/2006, made the following order:-

> *"The trial Court considered the oral and documentary evidence in right perspective and arrived at a conclusion that the prosecution failed to prove the guilt of accused officer No.1 for the offences punishable under Section 7 and 13(1)(d) read with Section 13(2) and accused officer No.2 for the offences punishable under Sections 12 and 15 of the Prevention of Corruption Act. The findings recorded by the trial Court are based on evidence much less legally admissible evidence. There is no flaw much less legal flaw in the findings recorded by the trial Court, which warrants interference of this Court. I am fully endorsing the findings recorded by the trial Court. There are no grounds much less valid grounds to interfere with the well considered judgment passed by the trial Court".*

5. Government after careful examination of the matter and in consultation with advisory body, have decided to implement the orders of ACB Court, dt.23.12.2005 in C.C.No.37/2000 as confirmed by the Hon'ble High Court in its Orders dt.19.02.2018 in C.A.No.1637/2006 and to consider the request of the A.O. i.e., to drop further action and to regularize the suspension period as on duty as per FR 54 B (3), as well as to release of all consequential benefits as per Rules.

**(Contd..3)**

6. Accordingly, Govt. hereby order to drop further action against Sri M.Sambasiva Rao (A.O.1), former Sanitary Inspector and now retired, Narasaraopeta Municipality and to regularize the suspension period as duty under FR 54-A(3), as well as to release all consequential benefits i.e., Regularizing suspension period from 09.09.1999 to 24.09.1999 and 28.11.2000 to 07.10.2003, further Annual Grade Increments from 01.04.2000 to 01.04.2013 (i.e., 14 AGIs), Notional Promotion, Pay fixation from 2000 till to retirement, Leave Salary, Gratuity and Pension as per Rules, as the Hon'ble High Court in C.A.No.1637/2006, dt.19.02.2018 have confirmed the orders of Trial Court (C.C.No.37/2000) and acquitted him from ACB case.

7. The Director of Municipal Administration, A.P., Guntur shall take further necessary action in the matter under intimation to Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**R.KARIKAL VALAVEN**
**PRINCIPAL SECRETARY TO GOVERNMENT**

To
The Director of Municipal Administration, A.P., Guntur.
The RDMA., A.P., Guntur.
Sri M.Sambasiva Rao, former Sanitary Inspector,
Narasaraopeta Municipality – **through** the DMA., A.P., Guntur.

**Copy to:**
The DG., ACB., Vijayawada, Krishna District.
The Secretary to APVC.,5th block, A.P. Secretariat, Velagapudi.
The Municipal Commissioner, Narasaraopeta Municipality.
The Municipal Commissioners, Mangalagiri, Repalle & Gudur Municipalities.
The Accountant General (A&E), A.P., Hyderabad.
The District Collector, Guntur District.
Sf/Sc.

**// FORWARDED BY ORDER //**

**SECTION OFFICER.**